

REMARKS

This amendment is in response to the non-final action mailed September 18, 2008. A one-month extension of time has been paid by credit card. The one-month extension of time extends the due date to January 18, 2009, which is a Sunday. The following Monday (January 19) and Tuesday (January 20) are federal holidays, making the due date January 21, 2009. This amendment is timely filed on or before January 21, 2009.

The examiner objected to the drawing for having figures 3 and 4 on the same page. Replacement sheets for Figs. 3 and 4 have been submitted with this amendment. Each of these Figures is now on a separate sheet. There are no other changes to Fig. 3. An annotated version of Fig. 4 has been submitted to show the changes. "Subscriber A secret Key" has been replaced with "Subscriber A Key" to be consistent with the specification. "Time-Tag" has been replaced with "Time-Frame" to be consistent with the disclosure. Replacement sheets for Figs. 1 and 2 have been submitted. An annotated sheet for each of Figs. 1 and 2 has been provided. The annotated sheets show the changes made in the replacement sheets. The changes have been made to correct inconsistencies. These changes do not add new to the disclosure.

The examiner rejected claims 1-7 under 35 U.S.C. 112 first paragraph, as failing to comply with the enablement requirement. The claims were indicated as containing

subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims were specifically rejected for the terms “dealpack” and “pack-engine”. This rejection is respectively traversed. Both the original specification and the original drawings described the “dealpack” and how it is created. The original specification, in first paragraph of the summary of the invention, noted that the “...electronic information items’ selection by specified time frame and content, then map and group for-not-use items in accordance with pre-defined grid/metrics, package, label, and price them into deal packs. The content of the deal packs is shown in right side of Fig. 1. Three dealpacks are shown in Fig. 1 where each dealpack has a distinct dealpack ID. The “dealpack” as disclosed in the specification and shown in the Fig. 1 satisfies the requirements of 35 U.S.C. 112 first paragraph. It is respectively requested that this rejection be withdrawn. The original specification in first paragraph of the summary of the invention indicated that the mapping and grouping of the election information items was done by the pack-engine. Original Fig. 1, as seen on the right side thereof, shows a flow chart of the pack-engine. The term pack-engine and disclosed in the specification and shown in Fig. 1 satisfies the requirements of 35 U.S.C. 112 first paragraph. Moreover, the specification has been amended for clarity and now indicates that the pack-engine is a packaging process as identified in the original claims. The new claims use “packaging process” instead of pack-engine. It is respectively requested that this rejection be withdrawn.

Claims 1-7 have been canceled. The objections made in the previous office action respect to these claims is now mute. New claims 8-21 have been submitted. Hertz et al teaches an EPG which is not the claimed system for trading electronic information items. Hertz et al, either individually or in combination with Kenner do not teach the limitations of new claim 8. Specifically the references do not teach the selection process, the packaging process, or the control delivery processes set forth in claim 8. The selection process requires that the content directed to the packaging process by a selling subscriber. This is not taught by either of the references. Kenner is a distribution system, which is not the claimed system for trading electronic information items. Kenner, either individually or in combination with Hertz et al do not the limitations of the claim 8. They do not teach the selection process, claimed trading limitations set forth in claim 8.


In view of the amendments to the claims noted above, it is respectfully submitted that all pending claims are now allowable and a notice of allowance is solicited.

The Examiner is respectfully requested to call the undersigned if further changes are required to obtain a notice of allowance.

Respectfully submitted,

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